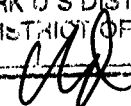


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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

MICHAEL KIELSKY,
PETITIONER

CV-00-01343-PHX-EHC (JI)

-VS-

ORDER TO RESPOND TO MOTION TO
DISMISS

MICHAEL MORALES, ET AL.,
RESPONDENT

Defendants have filed a Motion to Dismiss the complaint for failure to state a claim upon which relief can be granted. Plaintiff is advised of the following specific provisions of Rule 1.10, Rules of Practice of the United States District Court for the District of Arizona:

Subparagraph (e) of that Rule provides:

Unless otherwise permitted by the Court, a motion including its supporting memorandum, and the response including its supporting memorandum, each shall not exceed seventeen (17) pages, exclusive of attachments and any required statement of facts. Unless otherwise permitted by the Court, a reply including its supporting memorandum shall not exceed eleven (11) pages, exclusive of attachments.

Plaintiff's attention is also specifically drawn to Subparagraph (i) of Rule 1.10, which provides:

If a motion does not conform in all substantial respects with the requirements of this Rule, or if the opposing party does not serve and file the required answering memoranda . . . such non-compliance may be deemed a consent to the . . . granting of the motion and the court may dispose of the motion summarily. (Emphasis added).

IT IS THEREFORE ORDERED that:

1. Plaintiff shall have until November 24, 2000 within which to respond to

(11)

2. Defendants shall have fifteen days from service of the responsive memorandum within which to file a reply.

Dated this 31 day of October, 2000.

JAY R. IRWIN, United State Magistrate Judge